

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 10690 of 2005

Between:

Smt. P. Chiranjeevamma

W/o P. Venkata Ramana Age 28 yers, Fair Price Shop Dealer, Shop No. 5, Parumanchala
Village, Jupadu Bunglow Mandal, Kurnool District.

..... PETITIONER

AND

1. The District Collector, Kurnool District.
2. The Joint Collector, Kurnool District, Kurnool.
3. Revenue Divisional Officer, Kurnool.
4. The Mandal Revenue Officer, Jupadu Banglow Mandal, Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or Order or direction, preferably in the nature of writ of Mandamus, declaring the action of the 3rd respondent in issuing the impugned suspension orders vide proceedings RcB No. 1618/04 dated 2.12.2004 on the ground that petitioner is not distributing the commodities from July, 2004 to November, 2004 even though 3rd respondent is fully aware that it is 4th respondent who is not allowed the petitioner to distribute the commodities and the same was brought to the notice

of the 3rd and 1st respondents by way of representations dated 2.8.2004 and 9.8.2004 wherein 3rd and 1st respondents made an endorsement directing the 4th respondent to allow the petitioner to distribute commodities and further action of the 2nd respondent in not passing any orders either in appeal or in stay petition filed by the petitioner, as illegal, arbitrary and violative of Article 14, 19, 21 of constitution of India and consequently set aside the above said impugned suspension orders passed by the 3rd respondent with a further direction to the respondents to allow the petitioner to distribute the commodities for the said shop and pass such other order or orders.

Counsel for the Petitioner: MR.K.RATHANGA PANI REDDY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court at the stage of admission made the following :

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ORAL ORDER:

Heard both sides.

The grievance of the petitioner is that aggrieved by the order passed by the third respondent vide proceedings Rcb.No. 1618/04 dated 2.1.22004, he filed an appeal before the second respondent on 14.3.2005 and the same is still pending.

As the petitioner filed an appeal before the second respondent on 14.3.2005, without going into the merits of the case, I deem it appropriate to direct the second respondent to dispose of the appeal on merits in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.

With the above observation, the Writ Petition is disposed of. No order as to costs.

ELIPE DHARMA RAO,J

DATED: 29.04.2005

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To

1. The District Collector, Kurnool District.
2. The Joint Collector, Kurnool District, Kurnool.
3. Revenue Divisional Officer, Kurnool.
4. The Mandal Revenue Officer, Jupadu Banglow Mandal, Kurnool District.
5. Two CCs to G.P. for Civil Supplies, High Court of A.P., Hyderabad (OUT)
6. Two CD copies.